

**BEFORE THE INSURANCE COMMISSIONER
OF THE STATE OF CALIFORNIA
San Francisco**

In the Matter of)	ORDER TO CEASE
)	AND DESIST
)	
NATIONWIDE HOME WARRANTY)	INSURANCE CODE
)	SECTION 12921.8
)	
Respondent.)	File No. 08VA08503-AP
)	

TO: NATIONWIDE HOME WARRANTY, its officers, directors, employees, trustees, agents, affiliates and service representatives.

WHEREAS, California Insurance Code Section 12921.8(a)(1) authorizes the Insurance Commissioner to issue a cease and desist order against any person who has acted in a capacity for which a license, registration, or certificate of authority from the Insurance Commissioner was required but not possessed.; and

WHEREAS, California Insurance Code Section 12921.8(c) authorizes the Insurance Commissioner to issue said cease and desist order without holding a hearing prior to issuance of the order; and

WHEREAS, you, through the internet and other devices, including 1 (888) 500-2110 and www.nationwidehomewarranty.com, have solicited persons located and resident in the State of California to purchase Home Protection Contracts and have issued Home Protection Contracts in California to residents of this State, and have adjusted claims of California residents in California through service representatives, without holding either the license, certificate of authority or authorization required by subdivisions (a) and (b) of California Insurance Code section 12744; and

WHEREAS, you are not now or have ever been licensed by the Insurance Commissioner to transact an insurance business as an insurer or a Home Protection Company, and have been engaged in the unlawful activity set forth herein from on or about July 2007 to the present.

1 NOW THEREFORE, YOU ARE HEREBY ORDERED to immediately CEASE AND
2 DESIST the offering, issuance and renewal of Home Protection Contracts in California and the
3 transaction of any such business with the residents of this State, through any means, and the
4 collection of contract fees from California residents through any means.

5 PLEASE TAKE NOTICE that the Insurance Commissioner may, pursuant to Insurance
6 Code Section 12921.8, impose a monetary penalty of five times the amount of money received by
7 you while acting in the capacity for which a license, registration or certificate of authority was
8 required but not possessed, or five thousand dollars (\$5,000) for each day you have acted in the
9 capacity for which a license, registration or certificate of authority was required but not
10 possessed; whichever is greater.

11 **HEARING**

12 Insurance Code Section 12921.8(c) provides in part, as follows:

13 "A person to whom a cease and desist order . . . is
14 issued, may, within seven days after service of the
order, . . . request a hearing by filing a request for a
hearing with the commissioner."

15 If you desire a hearing in this matter, your written request for a hearing must be received
16 within seven days after you are personally served with the order. The seven days begins to run
17 on the day after the day you are served, and if the seventh day falls on a weekend, the period in
18 which your request must be filed is extended until Monday or the next business day if Monday is
19 a holiday. Your written request for a hearing must be directed to: Jerry L. Whitfield, Assistant
20 Chief Counsel, California Department of Insurance, 45 Fremont Street, 21st Floor,
21 San Francisco, California 94105.

22 IN WITNESS WHEREOF, I have set my hand and affixed my official seal this 3rd day of
23 March, 2009.

24
25 STEVE POIZNER
Insurance Commissioner

26 By "ss"

27 JERRY L. WHITFIELD
28 Assistant Chief Counsel